

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

SANTOSH RAM,

Petitioner,

v.

WARDEN,

Respondent.

Case No. 1:21-cv-01520-JLT-EPG-HC

ORDER VACATING APRIL 14, 2022  
FINDINGS AND RECOMMENDATION,  
DIRECTING CLERK OF COURT TO SEND  
PETITIONER COPY OF MOTION TO  
DISMISS, AND SETTING BRIEFING  
SCHEDULE

(ECF No. 12)

Petitioner Santosh Ram is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On April 14, 2022,<sup>1</sup> the undersigned issued findings and recommendation recommending that Respondent's motion to dismiss be denied and the petition be denied. (ECF No. 12). On May 6, 2022, the Court received Petitioner's objections to the findings and recommendation, which indicated that Petitioner never received a copy of Respondent's response to the petition. (ECF No. 13 at 1).<sup>2</sup> The certificate of service indicates that a copy of the motion to dismiss was placed in a certified postpaid envelope addressed to Petitioner at FCI Mendota, (ECF No. 11 at 9), but it appears that Petitioner never received it.

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<sup>1</sup> The findings and recommendation was signed on April 13, 2022, but it was not docketed until April 14, 2022. (ECF No. 12).

<sup>2</sup> Page numbers refer to the ECF page numbers stamped at the top of the page.

Accordingly, the Court HEREBY ORDERS:

1. The findings and recommendation issued on April 14, 2022 (ECF No. 12) is VACATED;
2. The Clerk of Court is DIRECTED to send Petitioner a copy of Respondent's motion to dismiss (ECF No. 11);
3. Within thirty (30) days of the date of service of this order, Petitioner shall file a response to Respondent's motion to dismiss; and
4. Within fourteen (14) days of the date of service of the Petitioner's response, Respondent may file a reply.

IT IS SO ORDERED.

Dated: **June 1, 2022**

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE